


IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

CARLOS TURNER, et al.,	:	
Plaintiffs,	:	
v.	:	Case No. 3:23-cv-371
HENLEY APPRAISALS LLC, et	:	JUDGE WALTER H. RICE
al.,	:	
Defendants.	:	

DECISION AND ENTRY OVERRULING DEFENDANT U.S. BANCORP'S
MOTION TO DISMISS (DOC. #8) PLAINTIFFS' COMPLAINT (DOC. #1)
AS MOOT

On February 6, 2024, Defendant U.S. Bancorp filed a Motion to Dismiss, Doc. #8, seeking to dismiss the complaint, Doc. #1, by Plaintiffs Miami Valley Fair Housing Center, Inc., Carlos Turner, and Diana Davoli-Turner (collectively "Plaintiffs") with prejudice. Subsequently, on February 26, 2024, Plaintiffs filed an Amended Complaint, Doc. #9, which made the original complaint a legal nullity. *See B & H Med., LLC v. ABP Admin., Inc.*, 526 F.3d 257, 267 n. 8 (6th Cir. 2008). For this reason, the Court OVERRULES Defendant US Bancorp's Motion to Dismiss, Doc. #8, as MOOT, without prejudice to their refiling any appropriate motions subsequent to the Amended Complaint.

Date: June 28, 2024



WALTER H. RICE
UNITED STATES DISTRICT JUDGE